



June 14, 2022

Hon. Ann M. Donnelly
United States District Court Judge
Eastern District of New York
225 Cadman Plaza East
Courtroom 4GN
Brooklyn, New York 11201

Re: *Juzumas v. Nassau County*
17 Civ. 3049 (AMD) (JO)

Dear Judge Donnelly,

As a follow up to the Mandate issued by the Second Circuit Court of Appeals on June 2, 2022, we are renewing our prior request as indicated below

As the Court is aware, a Decision was rendered by the Second Circuit Court of Appeals in this matter on May 12, 2022, which vacated part of Your Honor's decision granting Nassau County's motion for summary judgment. [see, Dkt. ECF No. 45].

The Circuit Court remanded the issue of As part of the Circuit's Decision, the Court remanded the plaintiff's Second Amendment and *Monell* claims back to this Court "to reach an adequate determination on the County's longarms possession policy."

"Having twice reversed its basic position, the County has yet to provide a complete description of when it will be lawful for Juzumas to reacquire longarms. It proposed that "these facts will be explored and a full determination regarding them and their application to any claim, pursuant to the Second Circuit[s] analysis, will be made," presumably on remand. *Id.* at 6. In light of the absence of explicit state law constraints on Juzumas's renewed possession of longarms, the shapeshifting record as to the County's actual policy, and the constitutional nature of Juzumas's challenge to the policy that was applied to him, we find it necessary to vacate the district court's decision in this respect and remand the matter for further fact-finding and adjudication of this aspect of the Second Amendment challenge."

To that end, we are respectfully requesting that a phone conference be held in this matter to schedule a hearing date that is mutually convenient for the Court, counsel, and the parties in accordance with the Second Circuit's remand for "fact-finding and adjudication of this aspect of the Second Amendment challenge."

Very truly yours,

/s/

Amy L. Bellantoni

cc: Counsel for Defendants